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**RESOLUTION NO. 05-050**

RESOLUTION OF FINDINGS OF ADVISABILITY AND RESOLUTION AUTHORIZING CONSTRUCTING A **TRAFFIC SIGNAL ON 13TH FOR A "T" INTERSECTION LOCATED APPROXIMATELY 800 FEET EAST OF GREENWICH (SOUTH OF 13TH, EAST OF GREENWICH) 472-83095**, IN THE CITY OF WICHITA, KANSAS, PURSUANT TO FINDINGS OF ADVISABILITY MADE BY THE GOVERNING BODY OF THE CITY OF WICHITA, KANSAS.

BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF WICHITA, KANSAS, THAT THE FOLLOWING FINDINGS AS TO THE ADVISABILITY OF CONSTRUCTING A **TRAFFIC SIGNAL ON 13TH FOR A "T" INTERSECTION LOCATED APPROXIMATELY 800 FEET EAST OF GREENWICH (SOUTH OF 13TH, EAST OF GREENWICH) 472-83095**, IN THE CITY OF WICHITA, KANSAS, ARE HEREBY MADE TO-WIT:

SECTION 1. That Resolution No. 99-116 adopted on **March 23, 1999**, is hereby rescinded.

SECTION 2. That it is necessary and in the public interest to construct a **traffic signal on 13th for A "T" intersection located approximately 800 feet east of Greenwich (south of 13th, east of Greenwich) 472-83095**

Said pavement shall be constructed of the material in accordance with plans and specifications provided by the City Engineer.

SECTION 3. That the cost of said improvements provided for in Section 1 thereof is estimated to be **One Hundred Ten Thousand Dollars (\$110,000)** exclusive of the cost of interest on borrowed money, with **100** percent payable by the improvement district. Said estimated cost as above set forth is hereby increased at the pro-rata rate of 1 percent per month from and after **November 1, 2004**, exclusive of the costs of temporary financing.

SECTION 4. That all costs of said improvements attributable to the improvement district, when ascertained, shall be assessed against the land lying within the improvement district described as follows:

**Tract A through M**

**TRACT "A"**

A TRACT OF LAND IN LOT 12, BLOCK 1, THE GATEWAY CENTER ADDITION, AN ADDITION TO WICHITA, SEDGWICK COUNTY, KANSAS, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF SAID LOT 12, SAID POINT ALSO BEING THE SOUTHEAST CORNER OF LOT 11, BLOCK 1, OF SAID ADDITION;

THENCE S00°15'27"W ALONG THE EAST LINE OF SAID LOT 12, A DISTANCE OF 33.74 FEET; THENCE S10°23'27"E ALONG SAID EAST LINE A DISTANCE OF 519.23 FEET; THENCE S24°13'41"E ALONG SAID EAST LINE A DISTANCE OF 647.04 FEET TO THE SOUTHEAST CORNER OF SAID LOT 12; THENCE S89°06'02"W ALONG THE SOUTH LINE OF SAID LOT 12, A DISTANCE OF 915.53 FEET; THENCE N01°03'27"W A DISTANCE OF 443.78 FEET; THENCE N40°21'03"W A DISTANCE OF 174.93 FEET; THENCE N01°03'27"W A DISTANCE OF 561.15 FEET TO A POINT ON THE SOUTH LINE OF LOT 10, BLOCK 1, OF SAID ADDITION; THENCE N89°06'02"E ALONG THE SOUTH LINE OF SAID LOT 10, THE EXTENDED SOUTH LINE OF SAID LOT 10, AND THE SOUTH LINE OF SAID LOT 11, A DISTANCE OF 688.29 FEET TO THE POINT OF BEGINNING.

#### **TRACT "B"**

COMMENCING AT THE SOUTHWEST CORNER OF LOT 12, BLOCK 1, THE GATEWAY CENTER ADDITION TO WICHITA, SEDGWICK COUNTY, KANSAS; THENCE BEARING N89°06'02"E, ALONG THE SOUTH LINE OF SAID LOT 12, A DISTANCE OF 533.21 FEET TO THE POINT OF BEGINNING; THENCE BEARING N01°03'27"W, A DISTANCE OF 232.60 FEET; THENCE BEARING N28°50'20"W, A DISTANCE OF 253.61 FEET; THENCE BEARING N01°03'27"W, A DISTANCE OF 643.35 FEET; THENCE BEARING N89°06'02"E, A DISTANCE OF 411.64 FEET; THENCE BEARING S01°03'27"E, A DISTANCE OF 399.74 FEET; THENCE BEARING S49°38'57"W, A DISTANCE OF 126.89 FEET; THENCE BEARING S40°21'03"E, A DISTANCE OF 330.00 FEET; THENCE BEARING S01°03'27"E, A DISTANCE OF 364.82 FEET TO THE SOUTH LINE OF SAID LOT 12; THENCE BEARING S89°06'02"W, A DISTANCE OF 404.21 FEET TO THE POINT OF BEGINNING.

#### **TRACT "C"**

(TO BE PLATTED AS LOT 12, BLOCK 1, GATEWAY CENTER 2ND ADDITION)  
A PORTION OF LOT 12, BLOCK 1, THE GATEWAY CENTER ADDITION, AN ADDITION TO WICHITA, SEDGWICK COUNTY, KANSAS; MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE S.W. CORNER OF SAID LOT 12; THENCE BEARING N89°06'02"E ALONG THE SOUTH LINE OF SAID LOT 12, A DISTANCE OF 40.00 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING ALONG SAID SOUTH LINE ON A BEARING OF N89°06'02"E, A DISTANCE OF 493.21 FEET; THENCE BEARING N01°03'27"W, A DISTANCE OF 232.60 FEET; THENCE BEARING N28°50'20"W A DISTANCE OF 253.61 FEET; THENCE BEARING N01°03'27"W A DISTANCE OF 638.35 FEET; THENCE BEARING S89°06'02"W A DISTANCE OF 184.47 FEET TO THE P.C. OF A CURVE TO THE LEFT HAVING A RADIUS OF 190.00 FEET; THENCE CONTINUING ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 90°09'29", AN ARC DISTANCE OF 298.98 FEET TO THE P.T. OF SAID CURVE; THENCE BEARING S01°03'27"E A DISTANCE OF 904.48 FEET TO THE POINT OF BEGINNING.

#### **TRACT "D"**

(TO BE PLATTED AS LOT 1, BLOCK 1, THE GATEWAY CENTER 2ND ADDITION) LOT 1, BLOCK 1, TOGETHER WITH THE SOUTH 163.50 FEET OF LOT 2, BLOCK 1, AND THE SOUTH 377.00 FEET OF THE WEST 40.00 FEET OF LOT 12, BLOCK 1, THE GATEWAY CENTER ADDITION, AN ADDITION TO WICHITA, SEDGWICK COUNTY, KANSAS

**TRACT "E"**

(TO BE PLATTED AS LOT 2, BLOCK 1, THE GATEWAY CENTER 2ND ADDITION) THE NORTH 188.00 FEET OF LOT 3, BLOCK 1, TOGETHER WITH THE SOUTH 32.00 FEET OF THE WEST 250.00 FEET OF LOT 12, BLOCK 1, LYING BETWEEN LOTS 3 AND 4, OF THE GATEWAY CENTER ADDITION, AN ADDITION TO WICHITA, SEDGWICK COUNTY, KANSAS.

**TRACT "F"**

(TO BE PLATTED AS LOT 3, BLOCK 1, THE GATEWAY CENTER 2ND ADDITION) THE NORTH 28.00 FEET OF THE WEST 250.00 FEET OF LOT 12, BLOCK 1, LYING BETWEEN LOTS 3 AND 4; TOGETHER WITH THE SOUTH 139.96 FEET OF LOT 4, BLOCK 1, OF THE GATEWAY CENTER ADDITION, AN ADDITION TO WICHITA, SEDGWICK COUNTY, KANSAS.

**TRACT "G"**

(TO BE PLATTED AS LOT 4, BLOCK 1, THE GATEWAY CENTER 2ND ADDITION) THE NORTH 60.04 FEET OF LOT 4, BLOCK 1, TOGETHER WITH THE SOUTH 159.96 FEET OF LOT 5, BLOCK 1, THE GATEWAY CENTER ADDITION, AN ADDITION TO WICHITA, SEDGWICK COUNTY, KANSAS.

**TRACT "H"**

(TO BE PLATTED AS LOT 5, BLOCK 1, THE GATEWAY CENTER 2ND ADDITION) THE NORTH 40.04 FEET OF LOT 5 BLOCK 1, TOGETHER WITH LOT 6, BLOCK 1, THE GATEWAY CENTER ADDITION, AN ADDITION TO WICHITA, SEDGWICK COUNTY, KANSAS.

**TRACT "I"**

(TO BE PLATTED AS LOT 6, BLOCK 1, THE GATEWAY CENTER 2ND ADDITION) LOT 7, BLOCK 1, TOGETHER WITH THE WEST 23.00 FEET OF LOT 8, BLOCK 1, THE GATEWAY CENTER ADDITION, AN ADDITION TO WICHITA, SEDGWICK COUNTY, KANSAS.

**TRACT "J"**

(TO BE PLATTED AS LOT 7, BLOCK 1, THE GATEWAY CENTER 2ND ADDITION) THE EAST 194.00 FEET OF LOT 8, BLOCK 1, THE GATEWAY CENTER ADDITION, AN ADDITION TO WICHITA, SEDGWICK COUNTY, KANSAS.

**TRACT "K"**

(TO BE PLATTED AS LOT 9, BLOCK 1, THE GATEWAY CENTER 2ND ADDITION) THE EAST 210.00 FEET OF LOT 10, BLOCK 1, THE GATEWAY CENTER ADDITION, AN ADDITION TO WICHITA, SEDGWICK COUNTY, KANSAS.

**TRACT "L"**

(TO BE PLATTED AS LOT 10, BLOCK 1, THE GATEWAY CENTER 2ND ADDITION) THE WEST 205.46 FEET OF LOT 11, BLOCK 1, THE GATEWAY CENTER ADDITION TO WICHITA, SEDGWICK COUNTY, KANSAS.

**TRACT "M"**

(TO BE PLATTED AS LOT 11, BLOCK 1, THE GATEWAY CENTER 2ND ADDITION)  
LOT 11, BLOCK 1, EXCEPT THE WEST 205.46 FEET THEREOF, THE GATEWAY  
CENTER ADDITION, AN ADDITION TO WICHITA, SEDGWICK COUNTY, KANSAS.

SECTION 5. That the method of apportioning all costs of said improvements attributable to the improvement district to the owners of land liable for assessment therefore shall be on a **fractional** basis:

Tract "A" shall pay 27,895/110,000 of the total cost; Tract "B" shall pay 14,062/110,000 of the total cost; Tract "C" shall pay 30,980/110,000 of the total cost; Tract "D" shall pay 3,422/110,000 of the total cost; Tract "E" shall pay 3,842/110,000 of the total cost; Tract "F" shall pay 2,933/110,000 of the total cost; Tract "G" shall pay 3842/110,000 of the total cost; Tract "H" shall pay 4,594/110,000 of the total cost; Tract "I" shall pay 4,199/110,000 of the total cost; Tract "J" shall pay 3,388/110,000 of the total cost; Tract "K" shall pay 3,667/110,000 of the total cost; and Tracts "L" and "M" shall each pay 3,588/110,000 of the total cost payable by the improvement district.

Except when driveways are requested to serve a particular tract, lot, or parcel and shall be in addition to the assessment for other improvements. Where the ownership of a single lot is or may be divided into two or more parcels, the assessment to the lot so divided shall be assessed to each ownership or parcel on a square foot basis.

SECTION 6. That payment of said assessments may indefinitely be deferred as against those property owners eligible for such deferral available through the Special Assessment Deferral Program.

SECTION 7. That the City Engineer shall prepare plans and specifications for said improvement and a preliminary estimate of cost therefore, which plans, specifications, and a preliminary estimate of cost shall be presented to this Body for its approval.

SECTION 8. Whereas, the Governing Body of the City, upon examination thereof, considered, found and determined the Petition to be sufficient, having been signed by the owners of record, whether resident or not, of more than Fifty Percent (50%) of the property liable for assessment for the costs of the improvement requested thereby; the advisability of the improvements set forth above is hereby established as authorized by K.S.A. 12-6a01 et seq as amended.

SECTION 9. Be it further resolved that the above-described improvement is hereby authorized and declared to be necessary in accordance with the findings of the Governing Body as set out in this resolution.

SECTION 10. That the City Clerk shall make proper publication of this resolution, which shall be published once in the official City paper and which shall be effective from and after said publication.

ADOPTED at Wichita, Kansas, February 1, 2005.

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CARLOS MAYANS, MAYOR

ATTEST:

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KAREN SUBLETT, CITY CLERK  
(SEAL)